

# Wetlands Bureau Decision Report

Decisions Taken  
10/24/2011 to 10/30/2011

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

## MAJOR IMPACT PROJECT

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**2011-00831                      LADD, PETER**  
**WARNER   Warner River**

### Requested Action:

Impact a total of 1,138 square feet (total of 78 linear feet of bank and channel impacts) of the banks and river bottom of the Warner River to construct abutments and remove relic stone crossing material from river bottom, for installation of a fully constructed full-span bridge relocated from another site.

Approve as mitigation in-lieu fee payment of \$9,383.28 to the Aquatic Resources Mitigation fund.

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### APPROVE PERMIT:

Impact a total of 1,138 square feet (total of 78 linear feet of bank and channel impacts) of the banks and river bottom of the Warner River to construct abutments and remove relic stone crossing material from river bottom, for installation of a fully constructed full-span bridge relocated from another site.

Approve as mitigation in-lieu fee payment of \$9,383.28 to the Aquatic Resources Mitigation fund.

### With Conditions:

1. This approval is contingent on receipt by DES of a one time payment of \$ 9,383.23 to the DES Aquatic Resource Mitigation (ARM) Fund. The payment shall be received by DES within 120 days of the date of the approval letter or the application will be denied.
2. All work shall be in accordance with revised plans by RJB Engineering LLC dated 7/31/2011, as received by the NH Department of Environmental Services (DES) on 8/23/2011.
3. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
5. Temporary cofferdams shall be entirely removed immediately following construction.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Work shall be done during low flow.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
10. Faulty equipment shall be repaired prior to entering jurisdictional areas.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands.

### With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 903.01(g), installation of a new Tier 3 stream crossing.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The installation of the bridge will provide the property owner with access to a land-locked large agricultural parcel currently accessed through a distant route through the property of others.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The impacts are confined to construction of bridge abutments and removal of old stone ford fill from the riverbed, and is crossing a narrow location.
4. The applicant has further compensated for unavoidable impacts to the stream banks and channel by making an in-lieu fee payment to the Aquatic Resources Mitigation fund in the amount of \$9,383.28.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, Env-Wt 904.01 General Design Considerations, and Env-Wt 904.05 Design Criteria for Tier 2 and Tier 3 Stream Crossings, has been considered in the design of the project. There were no species of concern reported by the NH Natural Heritage Bureau as occurring in the project vicinity.
6. The Warner Conservation Commission recommends approval of the project.
7. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

**2011-01098                      TOWN OF ANDOVER**  
**ANDOVER   Elbow Brook**

**Requested Action:**

Proposal to dredge and fill approximately 950 sq. ft. of river bank, bed ("Elbow Brook") and associated wetlands for replacement of deficient 12.4 ft. span x 25 ft. run metal pipe arch with a new 24 ft. span x 8 ft. rise x 24 ft. run precast three-sided open bottom bridge with wingwalls.

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**APPROVE PERMIT:**

Dredge and fill approximately 763 sq. ft. of river bank, bed ("Elbow Brook") and associated wetlands for replacement of deficient 12.4 ft. span x 25 ft. run metal pipe arch with a new 24 ft. span x 8 ft. rise x 24 ft. run precast three-sided open bottom bridge with wingwalls.

**With Conditions:**

1. All work shall be in accordance with plans by Hoyle, Tanner & Associates dated April, 2011, as received by the NH Department of Environmental Services (DES) on May 18, 2011 and as revised by plan sheet 10, dated September, 2011, as received by DES on October 25, 2011.
2. The Town shall obtain temporary construction easements or written agreements from affected landowners with work in jurisdiction on their property. Copies shall be supplied to DES Wetlands Bureau File No. 2011-01098 prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be done during low flow.
6. The final surface of the stream channel bed shall be restored at natural grade using natural round stone or existing streambed materials and shall not include angular rip-rap.
7. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur. A follow-up report shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
8. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
9. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.

10. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
11. Temporary cofferdams shall be entirely removed immediately following construction.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
14. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
16. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
17. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
18. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired immediately.
19. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
20. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 903.01 (g) A project shall be classified as a major impact project if:
  - (1) The stream crossing is a new or replacement tier 3 crossing; or
  - (2) Any of the criteria for a major project specified in Env-Wt 303.02 are met, regardless of the tier classification of the stream crossing that is part of the project.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The current bridge is limited to carrying vehicles requirements.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
7. The replacement design was conducted in accordance with Administrative Rule Env-Wt 904.08 to the maximum extent practicable.
8. Due cost related to a fully compliant crossing the applicant requested that the project be reviewed and approved as an Alternative Design per Administrative Rule 904.09.
9. The crossing is replacing a 12.4 span closed bottom pipe with a new 24 ft. span open bottom pre-cast bridge.
10. A New Hampshire Licensed Professional Engineer conducted a hydrological analysis of the existing conditions and proposed replacement.
11. DES has not received any abutter or public comments in objection to the proposed project.
12. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

**2011-01923                      MELODY J ANDERSON 2006 QPR TRUST**  
**CENTER HARBOR   Squam Lake**

Requested Action:

Install a 6 ft x 10 ft seasonal dock accessed by a 4 ft x 16 ft seasonal dock in a "T" configuration on a frontage with an existing 5 ft x 43 ft 7 in dock connected to a 20 ft x 17 ft dock by a 3 ft x 11 ft walkway on an average shoreline frontage of 563 feet on Squam Lake, in Center Harbor.

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Conservation Commission/Staff Comments:

Con Com signed Exp Application, however this is a major project due to number of slips provided

APPROVE PERMIT:

Install a 6 ft x 10 ft seasonal dock accessed by a 4 ft x 16 ft seasonal dock in a "T" configuration on a frontage with an existing 5 ft x 43 ft 7 in dock connected to a 20 ft x 17 ft dock by a 3 ft x 11 ft walkway on an average shoreline frontage of 563 feet on Squam Lake, in Center Harbor.

With Conditions:

1. All work shall be in accordance with plans by Hinds Septic Design Services dated July 28, 2011, as received by the NH Department of Environmental Services (DES) on October 07, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. All portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. Seasonal piers shall be removed from the lake for the non-boating season.
6. No portion of the pier shall extend more than 22 feet from the shoreline at full lake elevation.
7. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of a major docking facility.
2. The applicant has an average of 563 feet of frontage along Squam Lake.
3. A maximum of 8 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 6 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
5. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

-Send to Governor and Executive Council-

**2011-02018                      ZOLLNER, RICHARD & DEBORAH**  
**ALTON   Lake Winnepesaukee**

Requested Action:

Fill 1,130 sq ft to construct 42 linear ft of breakwater extending straight from shore with a 6 ft gap at the shoreline and a 6 ft x 40 ft cantilevered pier west of an existing 6 ft x 40 ft seasonal dock on an average of 169 ft of frontage on Lake Winnepesaukee, in Alton.

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Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE PERMIT:

Fill 1,130 sq ft to construct 42 linear ft of breakwater extending straight from shore with a 6 ft gap at the shoreline and a 6 ft x 40 ft cantilevered pier west of an existing 6 ft x 40 ft seasonal dock on an average of 169 ft of frontage on Lake Winnepesaukee, in Alton.

With Conditions:

1. All work shall be in accordance with plans by David Farley revision dated October 4, 2011, as received by the Department on

October 6, 2011.

2. This permit shall not be effective until it has been recorded with the Belknap County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. No portion of breakwater as measured at normal full lake shall extend more than 48 feet from normal full lake shoreline.
8. The breakwater shall not exceed 3 feet in height(Elev. 507.32) over the normal high water line(Elev. 504.32).
9. The width as measured at the top of the breakwater(Elev. 507.32) shall not exceed 3 feet.
10. Rocks may not remained stockpiled on the frontage for a period longer than 60 days.
11. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.
12. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
13. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
14. The breakwater shall have an irregular face to dissipate wave energy.
15. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(j), construction of a breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Env-Wt 402.07, Breakwaters.
3. The applicant has an average of 169 feet of frontage along Lake Winnepesaukee, Alton.
4. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
5. The proposed docking facility and existing docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meet Rule Wt 402.13.
6. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
7. There is no obvious evidence of sand migration along this shoreline.

-Send to Governor and Executive Council-

**2011-02021 FARMINGTON COUNTRY CLUB**  
**FARMINGTON Unnamed Stream**

Requested Action:

Retain after-the-fact placement of 200 linear feet (950 sq. ft.) of rip-rap installed along the toe of a bank. Restoration of bank impacts is addressed under separate cover. Compensatory mitigation includes installation of native non-invasive plantings within the waterfront buffer in an area that was previously lawn to improve habitat and water quality functions.

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APPROVE AFTER THE FACT:

Retain after-the-fact placement of 200 linear feet (950 sq. ft.) of rip-rap installed along the toe of a bank. Restoration of bank impacts is addressed under separate cover. Compensatory mitigation includes installation of native non-invasive plantings within the waterfront buffer in an area that was previously lawn to improve habitat and water quality functions.

14. This approval is contingent upon installation of native non-invasive plantings in accordance with the Revegetation Plan by Norway Plains Associates, Inc. dated February 2011, as received by the Department of Environmental Services on August 22, 2011.
15. A NH certified wetland scientist shall supervise mitigation construction to ensure that the mitigation is accomplished pursuant to the approved plan.
16. Siltation and erosion controls shall be in place prior to mitigation construction, shall be maintained during mitigation construction, and shall remain until the area is stabilized.
17. All exposed soil areas shall be seeded with the specified seed and mulched with a weed-free straw.
18. The NH certified wetland scientist shall submit mitigation monitoring reports to DES by December 30, 2011, June 30, 2012, and December 30, 2012 to document the success of the mitigation and outline a schedule for remedial actions if necessary. Such reports shall be submitted to DES with photographs demonstrating the conditions on the mitigation site, include any necessary remedial actions, and contain a schedule for completing the remedial actions and conducting follow up inspections.

With Conditions:

1. All work shall be in accordance with plans by Norway Plains Associates, Inc. dated February 2011, as received by the NH Department of Environmental Services (DES) on August 22, 2011.
  2. This permit is contingent upon 1,925 sq. ft. of restoration and reconstruction of the bank of the Cocheco River on the property and the abutting property in accordance with plans by Norway Plains Associates, Inc. dated February 2011, as received by the NH Department of Environmental Services (DES) on August 22, 2011.
  2. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with DES Land Resources Management Program staff at the project site or at the DES Office in Portsmouth, N.H. to review the conditions of this wetlands permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
  3. Work shall be done during low flow.
  4. Construction equipment shall not be located within surface waters.
  5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
  6. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
  7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
  8. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
  9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
  10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
  11. Silt fencing must be removed once the area is stabilized.
  12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
  13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
- Faulty equipment shall be repaired prior to entering jurisdictional areas. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use. All refueling of equipment shall occur outside of surface waters or wetlands.

14. This approval is contingent upon installation of native non-invasive plantings in accordance with the Revegetation Plan by Norway Plains Associates, Inc. dated February 2011, as received by the Department of Environmental Services on August 22, 2011.
15. A NH certified wetland scientist shall supervise mitigation construction to ensure that the mitigation is accomplished pursuant to the approved plan.
16. Siltation and erosion controls shall be in place prior to mitigation construction, shall be maintained during mitigation construction, and shall remain until the area is stabilized.
17. All exposed soil areas shall be seeded with the specified seed and mulched with a weed-free straw.
18. The NH certified wetland scientist shall submit mitigation monitoring reports to DES by December 30, 2011, June 30, 2012, and December 30, 2012 to document the success of the mitigation and outline a schedule for remedial actions if necessary. Such reports shall be submitted to DES with photographs demonstrating the conditions on the mitigation site, include any necessary remedial actions, and contain a schedule for completing the remedial actions and conducting follow up inspections.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i), projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial non-tidal stream or river channel or its banks. 2. DES issued a Letter of Deficiency ("LoD") (DES File #2007-1073) on March 17, 2010 with a determination that the applicant violated RSA 482-A :3 I by the placement of rip-rap on the bank of the Cocheco River without a permit from DES. DES requested the applicant submit an after-the-fact application to DES with a proposed plan that incorporates the use of soil bioengineering as a means of stabilization of the bank within the impact area.
3. The applicant has addressed Env-Wt 404.01 and Env-Wt 404.03 by removing a portion of rip-rap on the bank of the Cocheco River and cutting the slope back to a flatter slope, seeding, and re-planting with non-invasive species.
4. The applicant has addressed Env-Wt 801.03 regarding mitigation by proposing to plant native non-invasive species within the waterfront buffer in an area that was previously lawn.
5. The project meets the criteria of RSA 483-B, the Shoreland Water Quality Protection Act, by removing unauthorized rip-rap and planting native species on the bank and within the waterfront buffer.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has demonstrated that the bank of the Cocheco River is highly eroded in this area and needs stabilization.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant is removing a majority of the unauthorized rip-rap and reconstructing a flatter vegetated slope. A minimal amount of rip-rap is being retained at the toe of the slope to stabilize the bank.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau (NHB) has no record of sensitive species present within the vicinity of the project area.
9. In accordance Env-Wt 304.04, the applicant has received written agreement from the abutter for work within 20 ft. to the abutting property line and for work on the abutting property.

**2011-02539                      MOUNTAINSIDE AT ATTITASH CONDO ASSOC**  
**BARTLETT   Stony Brook**

Requested Action:

Dredge and fill 1,675 square feet of the bed and banks of Stony Brook to stabilize the eroded bank using a combination of rip-rap, vegetated socks, and planting live stakes and shrubs. 485 square feet of the impacts are temporary.

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APPROVE PERMIT:

Dredge and fill 1,675 square feet of the bed and banks of Stony Brook to stabilize the eroded bank using a combination of rip-rap, vegetated socks, and planting live stakes and shrubs. 485 square feet of the impacts are temporary.

With Conditions:

1. All work shall be in accordance with plans by H.E. Bergeron Engineers, Inc., entitled Design Drawings for the Mountainside at Attitash Bank Stabilization located in Bartlett, New Hampshire (sheets 1 through 6 of 6) with revision date of October 19, 2011 as



received by the NH Department of Environmental Services (DES) on October 19, 2011.

2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
4. Construction equipment shall not enter the surface water.
5. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
6. Prior to commencing work within surface waters, a cofferdam shall be constructed to isolate the work area from the surface waters.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
9. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
10. Temporary cofferdams shall be entirely removed immediately following construction.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired immediately.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

#### With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i) Projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project areas were damaged during Tropical Storm Irene. Approximately 2,200 square feet of land was lost.
6. The project is for bank stabilization and to protect existing infrastructure and therefore does not require compensatory mitigation per Administrative Rule Env-Wt 302.03(c)(2)c.
7. The applicant has provided a waiver request per Env-Wt 204.03, to waive the delineation of wetland boundaries as required per Env-Wt 301.01 (g).
8. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 301.01.
9. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.
10. In an e-mail dated October 11, 2011 the Bartlett Conservation Commission stated that they have decided to offer no comment on the plans.
11. The NHFG Nongame and Endangered Wildlife Program commented that although there was a NHB record present in the vicinity, they do not expect that it will be impacted by the proposed project.

## MINOR IMPACT PROJECT

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**2010-01370                      SOUTHERN NEW HAMPSHIRE UNIVERSITY**  
**HOOKSETT   Unnamed Wetland**

### Requested Action:

Southern New Hampshire University ("SNHU") requests an amendment for 835 sq.ft. of additional wetland impact for construction of a paved 5 foot wide path with a foot bridge crossing the wetland. Compensatory mitigation is a one time payment into the Aquatic Resource Mitigation fund ("ARM") of \$3,173.67.

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### APPROVE AMENDMENT:

Amend the Southern New Hampshire University ("SNHU") permit to include filling of 835 sq.ft. of additional wetland impact for construction of a paved 5 foot wide path with a foot bridge crossing the wetland. The work includes the original proposal to dredge and fill 4844 sq. ft. of wetlands (150 linear feet of intermittent stream) to install two (separate channels) 36 inch diameter HDPE culverts embedded with natural stream and wetland materials for construction of an access road to a proposed operations building for Southern New Hampshire University ("SNHU"). Compensatory mitigation for the additional impact is a one time payment into the Aquatic Resource Mitigation fund ("ARM") of \$3,173.67.

### With Conditions:

#### With amended conditions:

1. All work shall be in accordance with plans by TF Moran revision date of August 31, 2010, and narratives, as received by the Department on September 2, 2010. The work associated with the paved path shall in accordance with plans by TF Moran received by the Department on October 19, 2011.
2. This approval is contingent on receipt by DES of a one time payment of \$3,173.67 dollars to the DES Aquatic Resource Mitigation (ARM) Fund.
3. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
4. All work shall be conducted during low water conditions.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands.

16. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. The amendment requests classifies the project as a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
4. The department has determined that this project is acceptable for payment to the Aquatic Resource Mitigation (ARM) Fund.
5. The additional payment calculated for the 835 sq.ft. wetland loss in Hooksett equals \$3,173.67.
6. The payment into the ARM fund shall be deposited in the DES fund for the Merrimack River watershed per RSA 482-A:29.

**2011-01919                      NH DEPT OF TRANSPORTATION**  
**LISBON   Ogontz Brook**

Requested Action:

Remove material that is restricting flow through a 36 ft. wide bridge and stabilize banks with 6 in. minus stone impacting 1,798 sq. ft. (986 sq. ft. temporary) of riverine wetlands.

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Conservation Commission/Staff Comments:

Cons. Comm. - no comments

APPROVE PERMIT:

Remove material that is restricting flow through a 36 ft. wide bridge and stabilize banks with 6 in. minus stone impacting 1,798 sq. ft. (986 sq. ft. temporary) of riverine wetlands. NHDOT project 2011M114.

With Conditions:

1. All work shall be in accordance with plans dated 7/28/11 by NHDOT Bureau of Environment, as received by the Department on Aug. 9, 2011.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Construction equipment shall not be located within surface waters.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
10. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
11. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

12. The impacts associated with the temporary work shall be restored immediately following construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), alteration of less than 200 linear feet of stream and its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2011-02095                      MCCAULEY, CHRISTIAN**  
**LACONIA   Lake Winnepesaukee**

Requested Action:

Add 5 linear feet to an existing 6 ft x 30 ft permanent dock to create a 6 ft x 35 ft permanent dock, drive 3 tie off piles, install a permanent boatlift, and install a 16 ft x 35 ft seasonal canopy over the southerly slip adjacent to an existing 37 ft x 37 ft dug-in boathouse on an average of 377 ft of frontage, on Lake Winnepesaukee, in Laconia.

\*\*\*\*\*

Conservation Commission/Staff Comments:

No comments from Con Com by 10/03/2011

APPROVE PERMIT:

Add 5 linear feet to an existing 6 ft x 30 ft permanent dock to create a 6 ft x 35 ft permanent dock, drive 3 tie off piles, install a permanent boatlift, and install a 16 ft x 35 ft seasonal canopy over the southerly slip adjacent to an existing 37 ft x 37 ft dug-in boathouse on an average of 377 ft of frontage, on Lake Winnepesaukee, in Laconia.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction as revised October 10, 2011, and received by the NH Department of Environmental Services (DES) on October 12, 2011.
2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
4. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 fts from abutting property lines or the imaginary extension of those lines into the water.
5. No portion of the pier shall extend more than 35 feet from the shoreline at full lake elevation.
6. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), modification of a docking structures providing 4 boat slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has an average of 377 feet of shoreline frontage along Lake Winnepesaukee.
5. A maximum of 6 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
6. The proposed modification to the docking facility will provide 4 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.137.
7. The frontage meets the criteria for a permanent docking structure pursuant to Env-Wt 402.06.

**2011-02399 HEILIGMANN, WAYNE**  
**MEREDITH Lake Winnepesaukee**

Requested Action:

Replace 45 linear feet of retaining wall in the same location and configuration and repair 37 linear feet of retaining wall at the landward side of the beach on an average of 100 ft of shoreline frontage on Lake Winnepesaukee, in Meredith.

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Conservation Commission/Staff Comments:

No comments from local Con Com by October 21, 2011

APPROVE PERMIT:

Replace 45 linear feet of retaining wall in the same location and configuration and repair 37 linear feet of retaining wall at the landward side of the beach on an average of 100 ft of shoreline frontage on Lake Winnepesaukee, in Meredith.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design and Construction Management dated August 09, 2011, as received by the NH Department of Environmental Services (DES) on September 21, 2011.
2. No work is authorized to the 6 ft x 40 ft seasonal dock, 6 ft x 32 ft seasonal dock, and 2 ft x 13 ft seasonal ramp located on the frontage.
3. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. Repair shall maintain existing size, location and configuration.
5. The retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(j), repair or replacement of existing retaining wall that requires work in the water that results in no change in height, length, location or configuration.

**MINIMUM IMPACT PROJECT**

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**2005-00762 NH DEPT OF TRANSPORTATION, DISTRICT ONE**  
**SHELBURNE Clement Brook**

Requested Action:

Request permit time extension

\*\*\*\*\*

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

Inspection Date: 06/13/2005 by Gino E Infascelli

**APPROVE TIME EXTENSION:**

Construct a temporary road and dredge 2 ft. of gravel over a 2,500 sq. ft. area a point 175 feet upstream of the Village Road Bridge. NHDOT project #M109-7.

**With Conditions:**

1. All work shall be in accordance with plans by NHDOT dated March 7, 2005 as received by the Department on April 27, 2005 and as amended per NHDES inspection plan dated 6-13-05.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Work shall be done during low flow.
10. All work to be at least 10 feet from the low flow channel.

**With Findings:**

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.
2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

**2011-01838                      BRADLEY PARKER REV TRUST**  
**ALTON   Lake Winnepesaukee**

**Requested Action:**

Replace an existing 8 ft 2 in x 28 ft dock supported by a 8 ft x 26 ft 6 in crib with a 6 ft x 28 ft dock supported by two 6 ft x 6 ft cribs located 15 ft 11 in from an existing 24 ft 7 in x 28 ft 4 in dock supported by a 24 ft 4 in x 24 ft 7 in crib on an average of 95 ft of frontage on Lake Winnepesaukee, in Alton.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

Con Com requests 40 day hold on July 29, 2011  
Con Com has no concerns on August 01, 2011

**APPROVE PERMIT:**

Replace an existing 8 ft 2 in x 28 ft dock supported by a 8 ft x 26 ft 6 in crib with a 6 ft x 28 ft dock supported by two 6 ft x 6 ft cribs located 15 ft 11 in from an existing 24 ft 7 in x 28 ft 4 in dock supported by a 24 ft 4 in x 24 ft 7 in crib on an average of 95 ft of frontage on Lake Winnepesaukee, in Alton.

**With Conditions:**

1. All work shall be in accordance with plan revision by Winnepesaukee Marine Construction dated October 18, 2011, as received by the NH Department of Environmental Services (DES) on October 25, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of

- the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
  4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
  5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
  6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
  7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
  8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
  9. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is deemed to be a minimum impact project under Rule Env-Wt 303.04, (o).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The reconfiguration of the docking structure will impact less square feet over public submerged lands than repairing the existing structure in kind.
5. The applicant has an average of 95 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The docking facility provides 5 slips as defined per RSA 482-A:2, VIII.
8. The proposed modification will not increase the number of slips provided on the frontage.

**2011-02322                      DALEY REALTY TRUST**  
**LEE   Unnamed Wetland**

Requested Action:

Fill 318 sq. ft. of wetland for construction of a connector road between two proposed commercial gravel parking areas.

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APPROVE PERMIT:

Fill 318 sq. ft. of wetland for construction of a connector road between two proposed commercial gravel parking areas.

With Conditions:

1. All work shall be in accordance with revised plans by Farwell Engineering Services, LLC dated October 25, 2011, as received by the NH Department of Environmental Services (DES) on October 25, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
6. Personnel working on the job site and all employees shall be made aware of the potential to encounter the state threatened Northern Black Racer and Spotted Turtle and state endangered Blanding's Turtle. NH Fish and Game Department and DES Wetlands Bureau shall be contacted immediately if these species are encountered.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet in swamps and wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has demonstrated that wetland impacts are necessary to access uplands.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The wetland impact is at the edge of the wetland and has been minimized to the greatest extent practicable.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau (NHB) has record of rare wildlife, plant, and/or natural community present within the vicinity of the project area. After review by NH Fish and Game Department, they do not expect direct impacts to core habitat for these species, although high quality habitat appears to be adjacent to the property. The permit is conditioned if the species are encountered.

## FORESTRY NOTIFICATION

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**2011-02657                      GAGNON, JEAN**  
**DERRY   Unnamed Stream**

COMPLETE NOTIFICATION:  
Derry Tax Map 121, Lot# 19-1

**2011-02674                      REED, WADE**  
**THORNTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Thornton Tax Map 2, Lot# 4

**2011-02675                      FERGUSON, JEFF**  
**CAMPTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Campton Tax Map12, Lot # 46

**2011-02699                      NH DRED**  
**LOUDON   Unnamed Stream**

COMPLETE NOTIFICATION:  
LOudon Tax MAP 19, Lot# 14

**2011-02702                      OSBORNE, DAVID & L.**  
**PITTSFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Pittsfield Tax Map R18, Lot# 9



**2011-02703                      OSBORNE, DAVID & L.  
LOUDON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Loudon Tax Map 9, Lot# 1

**2011-02705                      LAKEVILLE SHORES INC  
WESTMORELAND   Unnamed Stream**

COMPLETE NOTIFICATION:  
Westmoreland Tax Map R5, Lot#35

**2011-02706                      DANIEL WEBSTER COUNCIL  
GILFORD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Gilford Tax Map 261, Lot# 1

**2011-02716                      RAMSDELL, GARY/GEORGE  
BARRINGTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Barrington Tax Map 233, Lot# 29 & 30

**2011-02717                      DUNBARTON TOWN FOREST COMMITTEE, ED WHITE  
DUNBARTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Dunbarton Tax Map H2, Lot# 2-4

**2011-02726                      BEAN, WILLIAM  
HOPKINTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Hopkinton Tax Map 227, Lot# 14

**2011-02727                      WARD, MAY  
MADISON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Madison Tax Map 245, Lot# 5

**2011-02728                      MEADOWSEND TIMBERLANDS LTD  
SPRINGFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Springfield Tax Map 28, Lot# 508-512

**2011-02729                      NH DRED**  
**HENNIKER   Unnamed Stream**

COMPLETE NOTIFICATION:  
Henniker Tax Map 211, Lot# 7

**2011-02730                      NH DRED**  
**HENNIKER   Unnamed Stream**

Conservation Commission/Staff Comments:  
No crossings for this timber cut. No Tyvek.

COMPLETE NOTIFICATION:  
No crossings for this timber cut. No Tyvek

**2011-02731                      NH DRED**  
**ALLENSTOWN   Unnamed Stream**

COMPLETE NOTIFICATION:  
Allentown Tax Map 407, Lot# 28 Bear Brook State Forest

**2011-02747                      MOONEY, MARK**  
**BELMONT   Unnamed Stream**

COMPLETE NOTIFICATION:  
Belmont Tax Map 204, Lot# 28

#### EXPEDITED MINIMUM

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**2006-02197                      DEMOULAS SUPER MARKETS INC**  
**BEDFORD   Unnamed Wetland**

Requested Action:  
Approve permit extension, name change and correct wetlands impact square footage total.  
\*\*\*\*\*

Conservation Commission/Staff Comments:  
The Bedford Conservation Commission approved the proposed project.

APPROVE TIME EXTENSION:

Dredge and fill approximately 576 sq. ft. (132 sq. ft. of permanent impact and 444 sq. ft. temporary impact) of wetlands for the installation of approximately 4,692 linear ft. of sewer line for a proposed commercial development.

**With Conditions:**

1. All work shall be in accordance with plans and narratives by TFMoran Inc., plan sheet 16 of 29, dated February 1, 2006, and revised through 7/13/06, as received by the NHDES Wetlands Bureau on August 25 2006; and plan sheet 2, dated January 13, 2011, and revised through 7/28/11, as received by the NHDES Wetlands Bureau on September 19, 2011; and plan sheets 13 and 14 of 30, dated January 13, 2011, and revised through 3/9/11, as received by the NHDES Wetlands Bureau on September 19, 2011.
2. The temporary wetlands impact area shall be regraded to original contours following completion of work and re-planted with a native wetland seed mix. The temporary impact restoration shall be supervised by a certified wetland scientist.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
4. This permit is contingent on approval by the DES Site Specific Program.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
8. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant provided documentation from the NH Department of Transportation ("DOT") approving the proposed work within the DOT right-of-way.
6. In correspondence received September 19, 2011, the agent on behalf of the current owner requested a permit deadline extension, name change and revision/correction of wetlands impact square footage total.
7. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.
8. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

**2007-01992 PLANTIER, DIANA/RICHARD**  
**BEDFORD Baboosic Brook**

**Requested Action:**

Approve name change to: Diana & Richard Plantier, 29 Beaver Ln., Bedford NH 03110 per request received 10/26/11. Previous owner: Sandra Todd.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

1. The Conservation Commission for the Town of Bedford and Town of Merrimack signed the respective Minimum Impact Expedited application waiving their right to intervene on the proposed project.
2. The Bedford Conservation Commission recommended that DES review, consider and sign the application.

**APPROVE NAME CHANGE:**

Dredge and fill approximately 300 sq. ft. (40 linear ft.) of stream bank (Baboosic Brook) to repair and replace an existing 10 ft. wide x 22 ft. span bridge with a proposed 12 ft. wide x 36 ft. span bridge for access to a proposed single family residence.

With Conditions:

1. All work shall be in accordance with plans by Sanford Survey and Engineering revision dated December 13, 2007 and narratives dated December 13, 2007, as received by DES on December 20, 2007.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. There shall be no excavation or operation of construction equipment in flowing water.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Work shall be done during low flow.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

**2011-02315                      PICARD, AARON**  
**MILTON   Unnamed Wetland**

Requested Action:

Fill a total of 705 sq. ft. of wetland in two locations to construct two driveways to serve a three-lot subdivision on 25 acres.

\*\*\*\*\*

APPROVE PERMIT:

Fill a total of 705 sq. ft. of wetland in two locations to construct two driveways to serve a three-lot subdivision on 25 acres.

With Conditions:

1. All work shall be in accordance with plans by Norway Plains Associates, Inc. dated September 2011, as received by the NH Department of Environmental Services (DES) on October 20, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction,

and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet in swamps and wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has demonstrated that wetland impacts are necessary to access uplands.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant has demonstrated that the wetland crossings are located at the most narrow locations.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau (NHB) has no record of a rare wildlife, plant, and/or natural community present within the vicinity of the project area.
5. The Milton Conservation Commission signed the expedited application.

**2011-02546 COTE, JOSEPH**  
**MILAN Unnamed Wetland**

Requested Action:

Dredge and fill 2,392 square feet of wetlands for the construction of a driveway to access to a single family residence. Work in jurisdiction includes the installation of two 12 inch culverts.

\*\*\*\*\*

APPROVE PERMIT:

Dredge and fill 2,392 square feet of wetlands for the construction of a driveway to access to a single family residence. Work in jurisdiction includes the installation of two 12 inch culverts.

With Conditions:

1. All work shall be in accordance with plans by Beaver Tracks LLC dated September 13, 2011 as received by DES on October 06, 2011.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. The culvert shall be laid at original grade.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a Minimum Impact Project per Env-Wt 303.04 (f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant provided a letter from the owner of property located at Town of Milan tax map 193 lot 83 waiving the NH Wetlands Bureau requirement of maintaining a 20 foot setback.
5. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
6. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, the Natural Heritage Bureau, or the Conservation Commission.

TRAILS NOTIFICATION

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**2011-02656                      USDA FOREST SERVICE, PEMIGEWASSET RANGER DIST**  
**WARREN   Unnamed Stream**

COMPLETE NOTIFICATION:  
Trails Warren Tax Map 229, Lot# 13

**2011-02704                      AUBIN, DAVID**  
**DALTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Dalton Tax Map/Lot# 404/4, 401/21, 401/27

PERMIT BY NOTIFICATION

\*\*\*\*\*

**2011-02673                      ROGERS, CHRISTOPHER/LAURA**  
**DOVER   Bellamy River**

Requested Action:  
Replace 6 existing tidal dock pilings in-kind.  
\*\*\*\*\*

Conservation Commission/Staff Comments:  
Dover Conservation Commission signed the PBN.

PBN IS COMPLETE:  
Replace 6 existing tidal dock pilings in-kind.

**2011-02677                      ANDERSON, RICHARD & MARILYN**  
**TUFTONBORO   Lake Winnepesaukee**

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2011-02686                      BOSIAK, PATRICIA**  
**GILMANTON   Rollins Pond**

Requested Action:

PBN proposal to repair and replace an existing dry hydrant.

\*\*\*\*\*

PBN IS COMPLETE:

PBN complete for repair and replacement of an existing dry hydrant.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(w) Excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, for installation of a dry hydrant.

**2011-02687                      HOPPE IV, HENRY**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2011-02721 FPL ENERGY MAIN HYDRO LLC**  
**ERROL Androscoggin River**

Requested Action:

Fill an eroded cavity (600 square feet) in Pier #6 of an existing dam.

\*\*\*\*\*

APPROVE PERMIT:

Fill an eroded cavity (600 square feet) in Pier #6 of an existing dam.

With Findings:

1. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)( 7) The maintenance, repair, or replacement of a nondocking structure that meets the criteria in Env-Wt 303.04(x).
2. The work is being coordinated with the Federal Energy Regulatory Commission and the NH Dam Safety Bureau.
3. The Conservation Commission signed the PBN waiving their right to intervene pursuant to RSA 482-A:11.
4. No comments were submitted from the Natural Heritage Bureau.

**CSPA PERMIT**

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**2011-00390 MCCLELLAN JR, KIMBERLY/WAYNE**  
**WINDHAM Moeckel Pond**

Requested Action:

Approve name change to: Kimberly & Wayne McClellan Jr, 37 Emerald Dr, Derry NH 03038 per request received 10/21/11.

Previous owner: Moeckel Irrevocable Trust.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Town Line - Windham & Pelham

Inspection Date: 09/30/2011 by Jeffrey D Blecharczyk

APPROVE NAME CHANGE:

Impact 15,080 sq ft in order to construct a house, septic system and associated accessory structures.

With Conditions:

1. All work shall be in accordance with plans by Edward N. Herbert Assoc., Inc. dated December 1, 2010 and received by the NH Department of Environmental Services (DES) on February 18, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 14,498 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or



contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wq 1406.18.

**2011-00392                      BELL, BRIAN**  
**WINDHAM   Moeckel Pond**

Requested Action:

Approve name change to: Brian Bell, 3 Derryfield Rd, Derry NH 03038 per request received 10/21/11. Previous owner Moeckel Irrevocable Trust.

\*\*\*\*\*

Conservation Commission/Staff Comments:

TOWN LINE WINDHAM/PELHAM

Inspection Date: 09/30/2011 by Jeffrey D Blecharczyk

APPROVE NAME CHANGE:

Impact 19,304 sq ft in order to construct a house, septic system and associated accessory structures.

With Conditions:

1. All work shall be in accordance with plans by Edward N. Herbert Assoc., Inc. dated December 1, 2010 and received by the NH Department of Environmental Services (DES) on February 18, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 4.3 of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 28,228 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wq 1406.18.

**2011-01300                      WEISSMAN, RICHARD**  
**ENFIELD   Mascoma Lake**

Requested Action:

Amendment request: Owner proposes to install pervious pavers and add additional sq ft to the house.

\*\*\*\*\*

APPROVE AMENDMENT:

Impact 9,401 sq ft in order to construct a single family residence, garage, pervious driveway, and on site wastewater disposal system.

With Conditions:

1. All work shall be in accordance with revised plans by Pathways Consulting, LLC dated October 17, 2011 and received by the NH Department of Environmental Services (DES) on October 19, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 19.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-01932                      HANDEL, TERRY**  
**HAMPSTEAD   Big Island Pond**

Requested Action:

Impact 3,287 sq ft for the purpose of expanding a nonconforming primary structure, constructing a new garage and installing stormwater controls.

\*\*\*\*\*

APPROVE PERMIT:

Impact 3,287 sq ft for the purpose of expanding a nonconforming primary structure, constructing a new garage and installing stormwater controls.

With Conditions:

1. All work shall be in accordance with plans by James M. Lavelle Associates last revised September, 2011 and received by the Department of Environmental Services ("DES") on October 25, 2011.
2. No more than 19.3% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
4. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
5. No impacts shall occur to natural ground covers within the waterfront buffer.
6. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Big Island Pond and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, I, nonconforming primary structures may be altered or expanded provided the structure is not expanded closer to public waters and the proposal or property is made more nearly conforming than the existing structure or the existing conditions of the property.
3. The applicant has proposed to decrease the impervious area within the protected shoreland by 2,702 sq ft.
4. The applicant has proposed to install (2) drywells that will be capable of infiltrating stormwater from the existing and proposed impervious areas.
5. The applicant has proposed to install significant stormwater controls and, and therefore, is more nearly conforming in accordance with RSA 483-B:11, I.

**2011-02455                      MELE, LINDA**  
**SALEM    Millville Lake**

**2011-02549                      CLOUGH, BRUCE**  
**GILFORD    Lake Winnepesaukee**

Requested Action:

Impact 2,110 sq ft for the construction of an effluent disposal system and temporary impacts to north and southside waterfronts for access.

\*\*\*\*\*

APPROVE PERMIT:

Impact 2,110 sq ft for the construction of an effluent disposal system and temporary impacts to north and southside waterfronts for access.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated September 28, 2011 and received by the NH Department of Environmental Services (DES) on October 6, 2011. 2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.”
3. No more than 14.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 215 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-02550                      LOUCKS INVESTMENT TRUST**  
**SUNAPEE    Sunapee Lake**

Requested Action:

Impact 12,751 sq ft for the purpose of constructing a new patio, expanding an existing garage and installing stormwater controls.

\*\*\*\*\*

APPROVE PERMIT:

Impact 12,751 sq ft for the purpose of constructing a new patio, expanding an existing garage and installing stormwater controls.

With Conditions:

1. All work shall be in accordance with plans by CLD Engineers, dated September, 2011, and received by the Department of Environmental Services ("DES") on October 6, 2011.
2. No more than 22.2% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
4. No impacts shall occur to natural ground covers within the waterfront buffer.
5. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
6. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 3,289 sq ft of unaltered area between 50 ft and 150 ft of the reference line, as delineated on plans titled, "CSPA Compliance Plan" and received by DES must remain in an unaltered state.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Silt fencing must be removed once the area is stabilized.

**2011-02561                      DEFEO, STEPHEN**  
**STRAFFORD   Bow   Lake**

Requested Action:

Impact 12,820 sq ft in order to construct 4 bedroom residence, septic system, and temporary construction access.

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APPROVE PERMIT:

Impact 12,820 sq ft in order to construct 4 bedroom residence, septic system, and temporary construction access.

With Conditions:

1. All work shall be in accordance with plans by Geometres Blue Hills, LLC dated September 1, 2011 and received by the NH Department of Environmental Services (DES) on October 7, 2011. 2.. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. A Wetlands Permit must be obtained prior to the start of any work for the proposed beach and dock, RSA 482-A and RSA 483-B:6.
4. No more than 5.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

5. At least 6,016 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2011-02576                      WINGATE, CHARLES/VERA**  
**WINDHAM   Cobbetts Pond**

**Requested Action:**

Impact 7,070 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures, installing a new septic system and stormwater controls.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 7,070 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures, installing a new septic system and stormwater controls.

**With Conditions:**

1. All work shall be in accordance with plans by Benchmark Engineering, Inc., dated September 11, 2011, and received by the Department of Environmental Services ("DES") on October 11, 2011.
2. No more than 32.5% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau and installing the proposed septic system.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Drinking Water and Ground Water Bureau that may be required for installation of the proposed geothermal system.
5. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
6. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
7. No impacts shall occur to natural ground covers within the waterfront buffer.
8. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Cobbetts Pond and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, I, nonconforming primary structures may be altered or expanded provided the structure is not expanded closer to public waters and the proposal or property is made more nearly conforming than the existing structure or the existing conditions of the property.
3. The applicant has proposed to decrease the impervious area within the protected shoreland by 533 sq ft.
4. The applicant has proposed to install (2) new frame and grate drywells that will be capable of infiltrating on-site stormwater.
5. The applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system.
6. The applicant has proposed to convert an existing driveway and boat ramp to a pervious technology.
7. The applicant has proposed to install stormwater controls, install a new septic system reduce the total amount of impervious surface coverage within the protected shoreland and utilize pervious technologies, and therefore, is more nearly conforming in accordance with RSA 483-B:11, I.

**2011-02592                      MOHAN, MARSHA**  
**CENTER BARNSTEAD   Suncook Lake**

Requested Action:

Impact 508 sq ft in order to replace two decks and construct a screened porch.

\*\*\*\*\*

APPROVE PERMIT:

Impact 508 sq ft in order to replace two decks and construct a screened porch.

With Conditions:

1. All work shall be in accordance with plans by Bryan L. Bailey Associates, Inc. dated July 25, 2011 and received by the NH Department of Environmental Services (DES) on October 12, 2011.
2. No more than 12.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 1,500 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-02615                      ROSS, JAMES/ANNE MARIE**  
**LACONIA   Winnisquam Lake**

Requested Action:

Impact 2,301 sq ft in order to remove existing concrete and replace with pavers and natural stone that will reduce impervious area.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 2,301 sq ft in order to remove existing concrete and replace with pavers and natural stone that will reduce impervious area.

**With Conditions:**

1. All work shall be in accordance with plans by Belknap Landscape Co., Inc. dated October 10, 2011 and received by the NH Department of Environmental Services (DES) on October 14, 2011.
2. No more than 16.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 3,325 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-02693                      ZARINSKY, RAMONA**  
**TUFTONBORO   Mirror Lake**

**Requested Action:**

Impact 3,840 sq ft for the purpose of installing a new septic system.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 3,840 sq ft for the purpose of installing a new septic system.

**With Conditions:**

1. All work shall be in accordance with plans by Folsom Design Group, dated August 25, 2011, and received by the Department of Environmental Services ("DES") on October 21, 2011.
2. No more than 18.21% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
4. No impacts shall occur to natural ground covers within the waterfront buffer.
5. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
6. In order to remain compliant with RSA 483-B:9, V, (b), (2), at least 3,412 sq ft of unaltered area between 50 ft and 150 ft of the reference line, as delineated on plans received by DES must remain in an unaltered state.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater

Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Silt fencing must be removed once the area is stabilized.